

Remarks

Claims 1 through 4, 7 through 11 and 18 through 20 were rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 6,302,331 to Dvorsky et al. (hereinafter the '331 patent).

Claims 13 through 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over the '331 patent. Claim 22 was rejected under 35 U.S.C. 103(a) as being unpatentable over the '331 patent in view of US Patent 4,962,885 to Coffee (hereinafter the '885 patent). Claims 23 through 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over the '331 patent in view of US Patent 5,064,123 to Aiello et al. (hereinafter the '123 patent).

Claims 5, 6 and 21 were objected to as being dependent upon a rejected base claim, but were found to be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims.

Independent claims 1 and 26 have been amended to recite that the manifold includes a fluid passage between a fluid entrance and spray sites that are used to discharge the fluid, and that the fluid passage is arranged with substantially equidistant paths between the entrance and the discharge at the spray sites. This amendment substantially introduces the limitations of original (and now cancelled) dependent claims 4 and 5 into the independent claims in a way that the Examiner indicated (in paragraph 20 of the present Office Action) would make the independent claims allowable. Having made the present amendments to claims 1 and 26 in the manner suggested by the Examiner, the Applicants submit that the present rejection of these claims, as well as the claims that depend therefrom, has been overcome, and are therefore in condition for allowance.

Furthermore, by the present amendment, the earlier recitation to the shroud in independent claims 1 and 26 has been removed. Support for such a configuration can be found in FIGS. 1 through 5 of the original specification, as well as the accompanying description

Serial No. 10/541,681
Docket No. 13891US

pertaining to FIG. 1, where the different components that make up the claimed electrohydrodynamic spray device do not include a shroud. In fact, the shroud limitation has been reintroduced as dependent claim 28, while dependent claims 13, 18, 19 and 22 have been amended to reflect proper dependency. Because the presence or absence of the shroud in the claims does not impact the patentability of amended claims 1 or 26 over the cited references, the Applicants submit that, in addition to the reasons discussed in the previous paragraph, these two independent claims and the claims that depend therefrom are therefore in condition for allowance.

New independent claims 29 and 30 recite respectively the spray head of amended claim 1 and the sprayer system of claim 26, replacing the allowable equidistant fluid travel limitation from original claims 4 and 5 with the allowable sensor claim from original claim 21. As with amended claims 1 and 26, the new independent claims 29 and 30 do not include a recitation to the shroud. Because these claims include features not taught in the cited art of the '331, '885 and '123 patents, the Applicants submit that they too are in condition for allowance.

CONCLUSION

Because all of the independent claims as presently amended recite features found to be allowable by the Examiner in the present Office Action, the Applicants submit that such claims are in condition for allowance. Furthermore, because all of the dependent claims place additional limitations on the independent claims, they too are in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to

Serial No. 10/541,681
Docket No. 13891US

discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
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